

### **REMARKS**

Claims 1-66 are pending in the application. In the Office Action of June 14, 2006, the Examiner has divided the claims into eight (8) groups: Group I (claims 1-25 and 36) drawn to a nucleic acid; Group II (claims 26-35) drawn to a polypeptide; Group III (claims 37-40 and 50-58) drawn to a genetically modified plant; Group IV (claim 41) drawn to genetically modified rice plant comprising expression of a polypeptide; Group V (claims 42 and 43) drawn to a method of screening a rice plant for desirable characteristics; Group VI (claims 44-49 and 60) drawn to a method of producing a genetically modified plant having an altered phenotype; Group VII (claim 59) drawn to an antibody; and Group VIII (claims 61-66) drawn to a computer readable medium comprising data related to nucleic acids or amino acid sequence.

Applicants traverse this requirement. Reconsideration and withdrawal thereof are earnestly requested.

All of the claims revolve around organ preferential genes identified by T-DNA insertional matagenesis in plant. Therefore, the claims are linked together to form a single invention. Accordingly, all of the claims should be examined together on the merits.

In this regard, Applicants submit that there is not an undue burden placed upon the Examiner to search and consider all of the claims. However, in order to be responsive to the outstanding Restriction Requirement, Applicants provisionally elect to prosecute Group III, claims 37-40 and 50-58, drawn to a genetically modified plant, for prosecution on the merits, with traverse.

In addition to the above-mentioned group restriction, the Examiner has required further election of single disclosed species from claims 37 and 40 because the Examiner believes that claims 37 and 40 are generic.

Applicants traverse this requirement. Reconsideration and withdrawal thereof are earnestly requested. However, in order to be responsive to the outstanding requirement, Applicants provisionally elect to prosecute ammonium transporter and 1c-109-35 from claims 37 and 40, respectively.

Further, the Examiner has also required election of one nucleic acid and one encoded amino acid sequence in conjunction with the elected Group of claims. In particular, for the provisionally elected Group III, the Examiner has required election of one nucleotide sequence and its encoded polypeptide from SEQ ID NOS:18-34 and 52-68.

Applicants traverse this requirement. Reconsideration and withdrawal thereof are earnestly requested. However, in order to be responsive to the outstanding requirement, Applicants provisionally elect to prosecute SEQ ID NOS:29 and 63, respectively.

It is believed that all of the claims in the provisionally elected Group III are readable on the above-elected species.


Applicants specifically preserve the right to prosecute the non-elected claims. Accordingly, early examination on the merits is respectfully requested.

The Commissioner is authorized to charge JHK Law's Deposit Account No. **502486** for any fees required under 37 CFR §§ 1.16 and 1.17 and to credit any overpayment to said Deposit Account No. **502486**.

Respectfully submitted,

**JHK Law**

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